

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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**BRIAN WOLOSHIN, on behalf of himself
and all others similarly situated**

Plaintiff,

-against-

AETNA LIFE INSURANCE COMPANY,

Defendant.
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Case No. 07 CV 6664 (KMK)

ECF CASE

Magistrate Judge Yanthis

FORM 26(f) – REPORT OF THE PARTIES’ PLANNING MEETING

1. Participants.

Pursuant to Fed. R. Civ. P. 26(f), the parties conferred on November 3, 2007. The participants were:

(a) for plaintiff Brian Woloshin (“Woloshin”):

Richard J. Quadrino of Quadrino & Schwartz, P.C.; and,
Paul Paradis of Horwitz, Horwitz & Paradis.

(b) for defendant Aetna Life Insurance Company (“Aetna”):

James H. Rotondo, DAY PITNEY LLP; and,
Jonathan Borg of DAY PITNEY LLP.

2. Pre-discovery Disclosures.

The parties shall serve their Initial Disclosures under Fed. R. Civ. P. 26(a)(1) on or before November 30, 2007.

3. Discovery Plan.

The parties jointly propose to the Court the following discovery plan:

(a) All discovery, including depositions of expert witnesses will be commenced immediately and completed (not propounded) by November 21, 2008.

(b) Factual discovery to be completed by August 29, 2008.

- (c) Class Certification:
 - (i) Motion for Class Certification to be filed on or before July 15, 2008;
 - (ii) Opposition to be served and filed on or before August 29, 2008; and,
 - (iii) Reply to be served and filed on or before September 26, 2008.
- (d) Maximum of 25 interrogatories by each party to any other party.
- (e) Maximum of 12 depositions by Plaintiff and 12 by Defendant. The parties shall seek leave of Court if additional fact depositions are necessary.
- (f) Reports from retained expert witnesses under Rule 26(a)(2) due:
 - (i) Plaintiff to identify expert(s) and provide report(s) by June 27, 2008;
 - (ii) Defendant to identify expert(s) and provide report(s) by August 15, 2008;
 - (iii) Plaintiff and Defendant to identify rebuttal expert(s) and provide rebuttal report(s), if any, by October 15, 2008; and,
 - (iv) completion of all expert depositions by November 21, 2008.
- (g) Expert discovery to be completed by November 21, 2008.
- (h) No special discovery methods or procedures are requested at this time.
- (i) A pretrial conference will take place in accordance with the Court's schedule.

4. Other Items.

All dispositive motions will be filed by December 15, 2008.

Dated: New York, New York
November 5, 2007

Respectfully Submitted,

Horwitz, Horwitz & Paradis

DAY PITNEY LLP

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By: /s/ Jonathan Matthew Borg
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Attorneys for Plaintiff
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and all others similarly situated

Attorneys for Defendant,
Aetna Life Insurance Company

CERTIFICATION

I hereby certify that on this date a copy of foregoing **Form 26(f) – Report of the Parties’ Planning Meeting** was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court’s electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court’s CM/ECF System.

/s/ Jonathan Matthew Borg
Jonathan Matthew Borg (JB-9487)